

Before the  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, D.C. 20554

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FEDERAL COMMUNICATIONS COMMISSION  
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In the Matter Of )  
Amendments of Policies and Rules )  
Concerning Operator Service ) CC Docket No. 94-158  
Providers and Call Aggregators )

COMMENTS OF SPRINT CORPORATION

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Sprint Corporation hereby submits its comments in response to the Notice of Proposed Rulemaking and Notice of Inquiry released in the above-captioned proceeding on February 8, 1995 (FCC 94-352), requesting comment on issues relating to operator services.

Branding Collect Calls. The first issue raised by the Commission concerns the branding of collect calls. The Commission asked whether the definition of "consumer" in §64.708 should be amended so that both the calling party and the called party paying for a collect call receive a brand before chargeable time begins. Sprint supports such a change. Under the current environment, in which public phones are presubscribed by the premises owner, both the calling party<sup>1</sup> and the party accepting a collect call are reasonably entitled to know the identity of the carrier handling the call.

<sup>1</sup> As the Commission points out in ¶15, in many instances, a person placing a collect call to his or her home or office may wind up paying for the call.

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Imposition of such a requirement should not be an unreasonable or undue burden on operator service providers.<sup>2</sup>

Emergency Calls. The Commission also asked for comment on a proposal to apply to aggregators the same requirements for routing and handling emergency calls that apply to OSPs. Sprint supports this change, and has one further provision to suggest. In the case of large aggregator locations, such as hotels, hospitals, colleges and universities, there may be special security requirements relevant to handling emergencies (e.g., optimum locations for entering the premises, etc.) that are known to the aggregator but not to the operator service provider. In fact, some such aggregators have requested that Sprint forward emergency services calls to the aggregator so that the aggregator can provide this information to the emergency service provider. Sprint believes this is a practice that should be allowed in order to facilitate efficient response to emergencies. Thus, Sprint proposes adding the following sentence at the end of §64.706: "Upon the prior request of an aggregator, a provider of operator services may connect such a call to personnel of the aggregator, rather than to the appropriate emergency service".

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<sup>2</sup> In ¶5, the Commission also solicited data regarding the ratio of collect calls to all operator-assisted calls. For Sprint's long distance division, collect calls currently account for roughly 10% of operator service calls (including calls such as calling card calls, that are completed without the intervention of a "live" operator.

Inmate-only phones. The next issue on which the Commission sought comment is the treatment of inmate-only telephones in correctional institutions. As the Notice observed, in implementing the requirements of §226 of the Act, the Commission found that inmate-only telephones should be excluded from the definition of "aggregator" and therefore exempt from the unblocking requirements that would otherwise apply. In the Notice, the Commission recited that it has received numerous informal complaints to the effect that inmates are generally restricted to collect calling, that there is no choice of the carrier handling the call and that high rates are often charged by the presubscribed carrier.

Sprint appreciates that this is a difficult problem, but one that cannot simply be resolved by revising the definition of "aggregator." To begin with, having construed the statutory definition of "aggregator" as excluding prison phones just a few years ago, any attempt by the Commission to reverse course 180 degrees simply because its view of policy considerations has changed, would be open to serious legal challenge. Furthermore, there is a very real danger that if payphones were unblocked to permit prison inmates to choose the long distance service provider, rampant fraud could ensue. Not all LECs have implemented the information digits necessary to notify an operator service provider that a call is coming from a prison location, and without that information, operator

service providers may complete a variety of calls that are either billed fraudulently or are otherwise undesirable (e.g., calls harassing law enforcement officers, judges or witnesses).


The high rates charged by some operator service providers should be of concern to the Commission. One way of addressing that concern is by implementing a system of billed party preference. In its August 1, 1994 Comments in CC Docket No. 92-77, Sprint, while favoring billed party preference ("BPP") as a general rule, pointed out that the prison environment does pose special problems and that whether to apply BPP to inmate-only phones is a close question. If the Commission believes that BPP can and should be applied to prison phones, that should end complaints about high rates for collect calls from prisons, since the party paying for the call will have selected the operator service provider. In the absence of BPP, Sprint would support a rate ceiling, based on the rates of the dominant operator service provider, for calls originating from prison phones. While rate ceilings, in general, are difficult to enforce, the relatively small number of prisons should mitigate the practical problems of enforcing such a cap.

Posting delays. Finally, the Commission sought comment on the extent of the problem caused by delays in updating the consumer information that must be posted by the aggregator on

public phones and on whether a specific time limit should be imposed for updating the information after a PIC change. Sprint has no specific information to offer on the extent to which the lack of updated information can be a significant problem, but if updated information is not posted promptly, consumers will be misinformed by the posted information. In the case of pay telephones owned by the Sprint LECs, it is Sprint's policy to update the PIC information on the first service call made for coin collection from that phone after a PIC change has taken place. At a high volume location, the updating may take place within a day or two after the PIC has been changed, but in the case of low volume phones in more remote locations, the coin boxes may be emptied as seldom as every thirty days. If the record in this proceeding persuades the Commission that a deadline should be imposed, Sprint would support a rule requiring that the updating be done within a reasonable time not to exceed thirty days after the PIC change is implemented.

Respectfully submitted,

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